



Class **SH351**
Book **C5C56**

Author _____

Title _____

Imprint _____

SPEECH
OF
C. C. CLAY, JR., OF ALABAMA,
ON
THE BILL INTRODUCED BY HIM TO REPEAL THE
FISHING BOUNTIES.

DELIVERED IN THE SENATE OF THE UNITED STATES, MAY 4, 1853.

The Senate having under consideration the bill introduced by Mr. Clay, of Alabama, for the repeal of the fishing bounties—Mr. CLAY said :

Mr. PRESIDENT: "The catching of cod is a very momentous concern," said Fisher Ames in the first Congress of the Union, and, sir, this sentiment has been repeated so often, and so emphatically, that many persons, without an examination of the subject, have taken it for granted that "the catching of cod is a very momentous concern." Indeed, considering the peculiar, extraordinary, and exclusive favor with which cod catching has been treated by the Congress of the United States, any one might conclude that the catching of cod is a most momentous concern.

It is my purpose to inquire into the reason why Mr. Ames said, in 1789, that the catching of cod is a most momentous concern, for the purpose of vindicating him from the suspicion of trifling with the truth, and of alleging what he did not believe, for the sake of achieving some sectional advantage. The dignity, purity, and elevation of his character, forbid the idea that he would have been guilty of any such assertion if he had not really believed it true. A comparison of the relations of cod fishing to the tonnage, commerce, revenue, and seamen of the United States, at that day, will show that he did not speak without warrant of reason, and authority of facts; and a similar comparison of those relations at this day, will show that, however truly it may have been uttered by him, it would be simply ridiculous and absurd, at this time, to say that "the catching of cod is a very momentous concern."

However, sir, before proceeding to exhibit this comparison, I must show the peculiar and extraordinary favor with which this interest has been treated. How much was paid to the fisheries, under the system of allowances, in lieu of drawback to the shippers or exporters of fish, I am not prepared to say; but since 1792, when the system of tonnage allowances was adopted, there have been paid to the cod fisheries the sum of \$12,128,532. They have received, annually, an average sum exceeding two hundred and five thousand dollars. During the last ten years, they have received an annual average sum of \$323,046. This large sum has been divided among about fifteen thousand persons, supposing that the fishermen have shared the bounty together with the owners of the fishing vessels, or it has been divided among only about two or, at most, three thousand owners of fishing vessels. Of this sum of \$12,128,532, the States of Maine and Massachusetts have received more than eleven-twelfths, or \$11,295,298, while the other States have received, in the aggregate, but \$833,234.

Printed by Lemuel Towers.

Of the two thousand and eighty-eight vessels in the trade last year, one thousand nine hundred and twenty-eight were owned in the States of Maine and Massachusetts; the remaining one hundred and sixty were divided between three States—Connecticut owning one hundred and thirty four, New Hampshire but twenty-five, and Rhode Island but one. Of the fourteen thousand six hundred and sixteen fishermen reported to be employed in this trade, thirteen thousand four hundred and ninety-six belong to Maine and Massachusetts, and the remaining one thousand one hundred and twenty to three States—Connecticut having nine hundred and thirty-eight, New Hampshire one hundred and seventy-five, and Rhode Island but seven.

Thus, sir, it appears that this is a purely local interest, confined to a very small section of the United States, and a small class of the citizens of the United States, found, I may say, within but two States of the Union. Now, considering the small number of persons who have participated in this bounty of the Government, and the large benefit which has been bestowed upon them, it is matter of special wonder that it should have been tolerated so long, and might justly induce the opinion that it had been, in the consideration of Congress, of most momentous concern. The inducements, or arguments, in favor of the fishing allowances presented by Mr. Ames, Mr. Gerry, and other distinguished advocates of that interest, in 1792, were that it would increase the commerce, the revenue, and the seamen of the United States. Mr. Gerry said, "to support the fisheries is to support the revenue," and he undertook to show "*the diminution of revenue in consequence of the failure of the fisheries.*" Mr. Ames said, "*it is an immense fund of wealth.*" and "*will enrich while it will protect the nation.*" From the exhibition which I shall make of the relative importance of this interest compared with the other interests of the United States at that time, I repeat, these assertions were not without warrant of reason.

The total tonnage of the United States in 1790, was but two hundred and seventy-four thousand three hundred and seventy-seven tons, of which that employed in the cod fisheries was thirty-one thousand eight hundred and forty-two tons; the proportion of the cod fish tonnage to the other tonnage of the United States being as one to seven, or in other words, the cod fish tonnage constituting, at that time, one-eighth of the entire tonnage of the United States. But how is it at this time? In 1857, the total tonnage of the United States, in round numbers, was, say five millions—for it wanted only fifty-nine thousand of that number—of which that employed in the cod fisheries was but one hundred and four thousand five hundred and seventy-three tons, the proportion of the cod fish tonnage to the other tonnage of the United States being as one to forty-seven, or in other words, constituting but one forty-eighth part of the entire tonnage of the United States. Since 1790 the cod fish tonnage has increased but three-fold, while the other tonnage of the United States has been increased about twenty-fold.

So in respect to commerce. Mr. Ames said, in 1789, that, in 1774, previous to the Revolution, the value of exported cod was upwards of a million dollars. If so, at that time it constituted one-sixth of the whole commerce of the United States; for the value of the aggregate domestic products of the United States, at that time, was but \$6,165,413. In 1804, the total domestic exports of the United States were \$41,467,477; of which exported cod made \$2,400,000. At that time, the proportion was as one to seventeen and two-tenths. In 1857, however, the total domestic exports of the United States were \$338,985,065; of which the value of the exported cod was but \$570,348; the proportion being about as one to six hundred. The decrease in the value of exported cod, since 1804, has been \$1,829,652; while the increase in value of the other domestic exports of the United States has been \$297,517,588.

So in respect to revenue. As I have shown before, at first the exports of cod amounted to about one-sixth of the total exports of the United States, and, of course, brought in foreign goods in exchange, which furnished, I may say, one-sixth of the revenue of the United States. At this day, however, as I shall show after a while, the cod fisheries, instead of adding to, are annually abstracting from the revenue of the United States. Where they put one dollar into the Treasury they draw more than twelve out.

In Exchange
Duke University
AUG 19 1936

Thus it appears that all the predictions of the value of the cod fisheries as an immense source of wealth, made by their advocates in 1792, have proven false and delusive. At this time they form but a forty-eighth part of the tonnage of the United States, but a six-hundredth part of the commerce of the United States, and instead of adding to the revenue, they annually abstract from the revenue nearly three hundred thousand dollars more than they put in. Who, then, at this day, considering the cod fisheries in their relation to the commerce, the tonnage, and the revenue of the United States, can say that they are of very momentous concern?

But, sir, it will be urged, as it was urged in that day, that the cod fisheries are the nurseries of American seamen. This, too, was urged with some show of reason in 1792, for at that time cod fishermen composed, perhaps, about one-half of the American seamen. We had, at that time, no other fishery except the whale fishery. We had no fisheries around the coast of Florida, or in the Gulf of Mexico, or on the Pacific coast; no herring, no mackerel fishery, no fishery in the great lakes in the Northwest. We had but little commerce, and not sufficient vessels or seamen even to carry that. Then it was said, with apparent reason, that the cod fishery is the nursery of seamen; but at this time, as I have shown, the cod fishery bears an unimportant relation to the commerce and tonnage of the United States. At this time, instead of composing nearly half of all the seamen of the United States, it composes not exceeding one-thirtieth part, for we have over one hundred and sixty thousand seamen engaged in the mackerel fishery, in the whale fishery, in the merchant service, and in the military marine of the United States; while there are but thirteen thousand employed in the cod fisheries.

These inducements, which were presented for fostering the cod fisheries, no longer exist; and if they were the only arguments in support of the bounty now conferred on them, that bounty should be repealed. But, sir, I deny that these were the inducements for the enactment of these laws. They were arguments that were urged in favor of them; but the true reason of each of these laws was the salt duty. The salt duty was the source of all the allowances, whether called drawbacks or bounties, which have been bestowed by any of these laws upon the cod fisheries; and that I think I shall be able to show to the satisfaction of the Senate.

The reason of the law, I have said, was the salt duty. The law was predicated upon the idea that duties should be levied upon the consumption, and not upon the production, of the country; upon the imports, and not upon the exports. It was said, with a good deal of plausibility, that a man who exports an article which he has imported, and on which he has paid the import duty, should have that duty refunded; because it would be exchanged for some foreign article which would be brought into the country, and would again pay duty; and if you did not refund him the duty on the exported article, it would be equivalent to taxing him with double duty. In each of these acts, I maintain that it was the purpose of Congress to give a drawback, and not a bounty.

The difference between a drawback and bounty is well understood by the Senate, but may not be understood by the country; and I shall define what I understand to be that difference, in order that the country may appreciate properly the wrong done them by the present bounties bestowed on the cod fisheries. Drawback is a mere return of the duty paid by an importer of an article, upon his exportation of that article. It is refunding him his own money. It is, as said by Mr. Madison, in debate, in 1792, merely paying a debt—a debt due from the Government to the exporter of an article for moneys advanced by him to the Government upon importing that article. Bounty, on the other hand, is a gratuity, a premium bestowed upon the producers, the exporters, or the importers of certain articles, or upon those who engage ships in certain trades. Drawback is founded upon a valuable consideration—bounty upon mere governmental favor.

Having explained this distinction, I repeat that the purpose of all these laws was to give drawback and not bounty—that the fishermen themselves did not ask bounty, but drawback—that they did not sue for favor, but demanded justice. They said, give us what you give the merchant on the exportation of an

article imported by him; return us our money—that is all we ask. Drawback, and not bounty, was all that was advocated by the representatives of fishermen in either House of Congress. They repudiated the charge of seeking bounty; they denied it, and protested that they only asked drawback, and no bounty. Drawback, and not bounty, was all Congress intended to give.

A brief abstract of the several acts on the subject of fishing allowances, will show that such was the intention of Congress as expressed in the acts themselves. I shall not weary the patience of the Senate by going over those acts, but will present a brief summary of such phrases in each of the acts as will establish the position I assume. In the first tariff act passed by the first Congress of the United States, on the 4th of July, 1789, a duty of six cents per bushel was laid on imported salt. The fourth section of the same act granted five cents for every quintal of dried, and every barrel of pickled fish, or of salted provisions, exported to foreign countries; and declared that this allowance was made, to use the language of the act, "*in lieu of drawback of the duties on the importation of the salt employed and expended therein.*" Thus it appears that the duty exceeded the allowance in lieu of drawback by one cent per bushel of salt; and the fishermen afterwards complained that they did not really get an equivalent for the drawback; that the Government was still their debtor for something more than they had received. The reason of this assertion was, that they said it required a bushel of salt for each quintal of dried or every barrel of pickled fish; and that, as they had paid six cents a bushel on importing the salt as duty, and received but five cents per quintal of dried, or barrel of pickled fish in return, they did not receive the full amount of their drawback.

The act of August 4, 1790, made stringent provisions, requiring full proof that the fish or provisions *had been exported, and had been cured with foreign salt that paid duty*, before the drawback was paid. The act of August 10, 1790, doubled the duty on salt, raising it from six to twelve cents; and doubled the allowance on the fish or provisions exported, raising it to ten cents per quintal and ten cents per barrel; and declared, to quote the language of the act, that this was done "*in lieu of a drawback of the duty on the salt expended thereupon.*"

Up to this period of time there can be no dispute—there is no ground for disputing the assertion that drawback, and not bounty, was all that was granted by Congress; but then the system was changed on the petition of the fishermen themselves. By the act of February 18, 1792, the allowance was shifted from the shipper, or exporter of the fish, to the owner of the fishing vessel, and from the exported fish to the tonnage of the vessel. This was done at the instance of the fishermen themselves, and I will read a brief extract from one of their memorials in order to show what they expected to get, and what they asked. They said "that the bounty granted to the fishery by Congress"—they called it bounty, and I am amazed to find that the term bounty is frequently used in the law, although inappropriately, according to the strict import of the term—"as a compensation for the duty on salt will not operate to that effect so effectually as if paid direct into the hands of the owners of the vessels, instead of the shippers of the fish."

In pursuance of this and other memorials Congress shifted the allowance from the shipper of the fish to the owner of the fishing vessel, allowing so much per ton for each ton of the vessel employed in the cod fishery. It did not give, or propose to give, however, anything more than the drawback.

Mr. FESSENDEN. When was that?

Mr. CLAY. On the 18th of February, 1792. The amount of the allowance on the tonnage was regulated by the quantity of salt consumed in curing the fish. It was said that each quintal of fish required a bushel of salt, and it was estimated that the average quantity of fish taken to each ton would be twelve; and therefore the duty multiplied by twelve gave the allowance per ton to each vessel employed in the cod fishery. Now, it will be remarked, and may be urged in argument on the other side of this question, that this tonnage allowance varied with the size of the vessel, and hence it may be maintained that really more was given in the way of tonnage allowance than had been given in the

way of drawback on the exported fish. But, in reply to that assertion, it will be found that the tonnage allowance, although it may have exceeded somewhat the drawback on the larger class of vessels, fell below it on the smaller vessels more than it exceeded it on the larger, and thus in the aggregate, as alleged by the advocates of this law, the Government probably paid out less in the way of tonnage allowance than it did in the way of drawback. Besides, there was a maximum aggregate allowance fixed by law, which could not be exceeded, although falling short of the duty paid by the vessel on the salt it consumed.

The advocates of the act of 1792 maintained that the Government, as well as the fishermen, would save money by the change proposed. I will read a brief extract from the speech of every advocate of the fishing bounty in 1792, made in Congress, in order to show what they intended, or professed to intend, in the enactment of the law. Mr. Goodhue, of Massachusetts, on the 3d of February, 1792, speaking of the objections to the existing mode of paying the allowance in lieu of drawback to the shipper or exporter of the fish, said:

"The object of the present bill is only to repay the same money into the hands of those persons who are immediately concerned in catching the fish; and there can no reasonable objection be made to such a transfer of the drawback, as Government will not lose a single dollar by the change. The gentleman from Virginia [Mr. Giles] talks of the unconstitutionality of granting bounties; but no bounty is required. We only ask, in another mode, the usual drawback for the salt used on the fish. If we can make it appear that the bill does not contemplate any greater sums to be drawn from the treasury than are already allowed, it is to be hoped that no further opposition will be made to the measure; and that this is really the case, can be proved by documents from the Treasury Office."

And then he read a statement and calculation, to prove his assertion, and to show that the United States would probably save a thousand dollars per annum by making the proposed change. Mr. Ames, of Massachusetts, said on the same day:

"Though the whole is intended for the benefit of the fishery, about one-fourth of what is paid is not so applied; there is a heavy loss both to Government and the fishery. Even what is paid on the export is nearly lost money; the bounty is not paid till the exportation, nor then, till six months have elapsed; whereas, the duty on salt is paid before the fish is taken—it is paid to the exporter, not to the fishermen. The bounty is so indirect that the poor fisherman loses sight of it. It is paid to such persons, in such places, and at such periods, as to disappoint its good effects; passing through so many hands, and paying so many profits to each, it is almost absorbed." * * *

"Yet, instead of asking bounties, or a remission of duties on the article consumed, we ask nothing but to give us our money back, which you received under an engagement to pay it back, in case the article should be exported." * *

"The drawback falls near nine thousand dollars short of the salt duty received by the Government." * * *

"We rely on the evidence before you, that the public will not sustain the charge of a dollar."

Mr. Gerry, of Massachusetts, said on the same day:

"It is now proposed to make a further commutation; gentlemen call this a bounty on occupation; but is there any proposition made for paying to the fishermen, or other persons concerned in the fishery, any sums which we have not previously received from them? If this were the case, it would indeed be a bounty, but if we beforehand receive from them as much as the allowance amounts to, there is no bounty granted at all.

"The only question now is, whether this be a direct bounty, or simply a commutation of the allowance already granted by Congress."

Mr. Livermore, of New Hampshire, said on the 6th of February, 1792:

"If gentlemen are disputing only because the word 'bounty' is in the bill, they may be perfectly relieved from their uneasiness on that score; for the bill expressly says 'that the bounty now allowed upon the exportation of dried fish,

of the fisheries of the United States, shall cease, and in lieu thereof, a different kind of encouragement to be given. Here is no reason to dispute about a word. If gentlemen are disposed to consent to the principle of the bill, that the drawback of the duties on salt shall be commuted for a certain sum, to encourage the fishermen, they will vote in favor of the bill; if not, they will vote against it. But it is impossible for me to conceive why any gentleman under heaven should be against it." * * * *

"It does not lay a farthing of bounty or duty on any other persons than those who are immediately concerned in it. It will serve them, and will not injure anybody."

Mr. Lawrence, of New York, said:

"From examining the section, he conceived it contemplated no more than what the merchant is entitled to under the existing laws. The merchant is now entitled to the drawback, but it is found by experience that the effect has not been to produce that encouragement of the fishermen it was expected; and he presumed the way was perfectly clear to give a new direction to the drawback; and this is all that is aimed at in the bill."

Mr. Madison, of Virginia, participated in the debate; and I wish to call particular attention to his remarks, because, in the recent resolutions of the Legislature of the State of Maine, he is spoken of as one of the fathers of this system, and it is due to his memory to vindicate him from the reproach of being the advocate of bounties. On the other hand, he combated, in an elaborate and able argument, the doctrine of "the general welfare," then first put forth by General Hamilton; and he supported the bill expressly on the ground that it was a mere commutation of drawback, but no bounty. Mr. Madison said:

"I think, however, that the term bounty is in every point of view improper, as it is here applied, not only because it may be offensive to some, and, in the opinion of others, carries a dangerous implication, but also because it does not express the true intention of the bill, as avowed and advocated by its patrons themselves. For if, in the allowance, nothing more is proposed than a mere reimbursement of the sum advanced, it is only paying a debt; and when we pay a debt we ought not to claim the merit of granting a bounty."

Mr. Bourne, of Massachusetts, said:

"The object of the first section in this bill is intended for the relief of the fishermen and their owners. They complain that the law now in force was meant for their benefit, by granting a drawback on the fish exported; this they find by experience is not the case, for they say that neither the fishermen who catch the fish, nor the importer of the salt, receive the drawback; and I rather suppose, sir, it is the case."

Thus I have quoted from every speech in favor of this tonnage allowance in 1792, all of which corroborate my assertion that the purpose avowed by the advocates of this system was to secure a drawback and not bounty; that they all repelled the charge of seeking bounty, and protested that they demanded justice, but sued for no favor. In compliance with this understanding, this act was passed, and every subsequent act which was passed upon the subject expresses in itself the same purpose. Thus the act of May, 1792, increased the duty by substituting for the measured bushel of eighty-four pounds the weighed bushel of fifty-six pounds, and added twenty per cent. to the fishing allowance. The act of July, 1797, increased the salt duty to twenty cents a bushel, and added thirty-three and a third per cent. to the allowance. The act of April, 1800, continued this allowance for ten years, which would have expired in 1800 by the limitation of the last act of 1797, but continued it on this express condition:

"The said allowances shall not be understood to be continued for a longer time than the correspondent duties respectively, for which such allowances were granted, shall be payable."

The act of May, 1807, repealed the duty and the allowances. At the time that act was passed, scarce a word was said in defense of the fisheries; all the

resistance was against the repeal of the duty, because the advocates of the fisheries seemed to take it for granted that if the duty were repealed the allowance would be repealed, as a matter of course. They all regarded it, as it really was, but an incident of the salt duty, deriving its existence from the salt duty, and necessarily dying with the salt duty. The act of July, 1813, revived the duty of twenty cents a bushel on salt, and gave a drawback of twenty cents on pickled fish, and a proportionate bounty on tonnage. The act of March, 1819, increased the bounty. A change of the tonnage allowance always followed every change in the salt duty. It originated with the salt duty, rose with the salt duty, perished with the salt duty, was revived with the salt duty, was increased with the salt duty, and has been continued with the salt duty; but has not been reduced with the duty.

Thus, sir, upon the face of the acts themselves, I think it is perfectly manifest that the purpose of Congress was to grant a drawback, but no bounty. In respect to these tonnage allowances, I find that in 1816, when a resolution was offered for their repeal, Mr. Reed maintained that the tonnage allowance was not equal to the drawback. He stated that though it might exceed it on some vessels, in the aggregate it fell short of the drawback. Such was perhaps the fact.

The fishermen themselves always understood and construed the law as giving drawback, and not bounty. After the repeal of the salt duty, and the allowances, in 1807, many of them came to Congress with memorials praying to be paid the allowance, on the ground that they had purchased the salt, and paid duty on it before the repeal of the law; and in some instances the vessel had been cast away, or the salt landed in a foreign country. In each and every instance, it will be found that they treated the allowance as a mere drawback, or commutation of the drawback, of the salt duty. For example, here is the memorial of several persons residing in Portsmouth, in which they say:

"The salt employed by said vessels in said voyages had paid the highest duty on that article, for they sailed with all their salt on board, nearly two months before the duty was reduced at all. As the allowance was expressly granted in consideration of the duty, the full allowance is due, as the full duty has been paid. Justice would say that, having paid the duty without any diminution, they ought to receive the allowance without any diminution."

Here is the petition of others, of the town of Killingworth, Connecticut, in which they say:

"Your petitioners, however, believe that the circumstances herein related bring them within the spirit of the law allowing a bounty; that the salt sent in said vessel has, in fact, been exported. And your petitioners cannot persuade themselves that it was the intention of Congress to allow the bounty only to the fortunate. The revenue is no more injured in this case than in other cases where a bounty is received; and the fishermen sent out in the vessel have been employed in the fishery for the whole period required by law."

I might multiply these illustrations of the construction of the fishermen themselves, but will rest with these. All of them show, however, that they regarded this as an allowance in lieu of drawback, as nothing more than drawback, and no bounty.

Such has been the construction of the Treasury Department from the time of Mr. Hamilton down to that of Mr. Woodbury; for in all their annual reports you will find that they exhibit the proceeds of the salt duty in this manner: first, they show the aggregate number of bushels imported, then the aggregate number exported, then the allowances to the fishing vessels; then they convert those allowances into bushels of salt at the existing rate of duty, and subtract them from the gross number of bushels imported, and then give the result as the net amount of salt paying duty.

It appears, then, by the language of the acts themselves, by the arguments of the advocates of those acts, by the memorials of the fishermen praying for those acts, by the construction of those acts by the fishermen, and by the construction of the Treasury Department, that Congress gave, or intended to give,

and the fishermen asked, or professed to ask, nothing more than drawback, and no bounty.

But, sir, what is the fact this time? Instead of merely receiving drawback, they now receive a large amount of bounty. This has resulted from the reduction of the salt duty, without any correspondent reduction of the tonnage allowance. Up to 1830, to which time the salt duty was twenty cents on the weighed bushel of fifty-six pounds, which was equal to about thirty cents on the measured bushel of eighty pounds—up to 1830, if they received anything more than drawback, it was probably an inconsiderable amount; but, in that year, the salt duty was reduced from twenty to fifteen cents per bushel; in 1832, to ten cents; and, by the compromise act of 1833, a prospective scale of reduction was made, under which it sank to six ninety-eight-one-hundredths in 1840; and at this day it amounts to only about two cents per bushel. The difference between the drawback which would be due, and the bounty which is received, may be estimated by multiplying the number of bushels of salt, allowing twelve to the ton, by the duty and subtracting it from the amount paid out. I have done that, and have prepared a table exhibiting the tonnage of the vessels engaged in the cod fisheries, the allowance paid them, the sums due as drawback, and the excess of bounty over drawback for the period of ten years past. I shall not trouble the Senate to hear it all, but will append it to my remarks.* I will call the attention of the Senate to four periods of time, equidistant, to show what has been the operation and effect of these laws within the last ten years. In 1848, the tonnage was eighty-two thousand six hundred and fifty-two tons; the allowance paid to the fishing vessels, \$243,434; the sums due as drawback, at the rate of duty paid at that time, \$22,811; the excess of bounty over drawback, \$220,622. In 1851, the allowance paid was \$328,267; the sum due as drawback, at the rate of duty then existing, \$25,193; and the excess of bounty over drawback, \$303,074. In 1854, the tonnage was one hundred and two thousand one hundred and ninety-four; the allowance, \$374,286; the sum due as drawback, \$31,261; and the excess of bounty over drawback, \$343,000. In 1857, the tonnage reported was one hundred and four thousand five hundred and seventy-three; the allowance paid, \$601,453; the sum due as drawback, at the existing rate of duties, \$29,133; and the excess of bounty above drawback, \$572,299. The average tonnage per year for ten years past was ninety-three thousand seven hundred and eighty-two; the average allowance to the fisheries, \$323,046; the average sums due as drawback, \$26,612; the average annual excess of bounty over drawback, \$292,433; and the aggregate excess of bounty over drawback nearly \$3,000,000—\$2,964,336. Thus it appears that the effect of these laws has been widely different from what was intended by Congress in passing them, and what was supposed or expected by the fishermen and their advocates. Thus it appears that the reason of the law has ceased.

Mr. TOOMBS. What part of the whole salt duty did they absorb?

Mr. CLAY. At this day, and during the last ten years, instead of realizing simply a drawback of the duty on the salt consumed by them in the fisheries, they have realized all the salt duty, and not only all the salt duty, but for several years more than the salt duty. This, however, is not a full exhibit of the tax of this system on the people of the United States, because I have estimated the drawbacks due the fisheries upon the hypothesis that they imported all their salt, whereas the manufacturers of salt in Massachusetts tell us that they supply the larger part of what is used in the fisheries. It is predicated on the further hypothesis that they consume twelve bushels of salt to the ton, or in other words, that they catch twelve quintals of fish to the ton; whereas Mr. Zeno Seudder, formerly a Representative in the other House from the Barnstable district, the largest fishing district in New England, which has received more than two million dollars in the shape of allowance and bounty, said in August, 1852, in the other branch of Congress, that they average but nine quintals to the ton, instead of twelve. If he was correct, we should add twenty-five per cent. to the excess of bounty as it has been estimated by me.

Nor, sir, does that exhibit fully the tax upon the Government of the United

States in support of these fisheries. You must take into consideration the cost of collecting and disbursing this bounty—estimated, by all political economists, at not less than two per cent.—and ranging from two to thirty; but, putting it down to the lowest amount on the \$600,000 paid last year, it is no inconsiderable sum. Nor does this exhibit all the tax of this system; for you must remember that there have been revenue boats employed for a series of years, partly in order to watch these fishermen and prevent their committing frauds upon the treasury, and their violation of the laws regulating the cod fisheries; and that there have been four revenue cutters employed partly for the same purpose, at an annual expense of about eleven thousand dollars each, stationed upon the coast of New England alone; while from New York to the mouth of the Rio Grande inclusive, we have but nine employed. My attention was directed to this, and on inquiring at the Treasury Department the reason, I learned that some of these supernumerary cutters and revenue boats had been employed at the instance of the collectors in the fishing districts in New England to watch the fishermen and prevent their violations of the law. I have the evidence at hand to exhibit when this charge is controverted. Thus we pay the fishermen bounty for catching cod, and pay officers and men of revenue cutters and boats to see that they do their work honestly, and do not defraud the Government.

Now, Mr. President, why shall not these laws be repealed? I show that the inducements to the laws—if revenue, or commerce, or seamen were the inducements—no longer exist. I show that the reason of the law has ceased to exist. I show that the effect of the law is what was never intended, or expected, or desired by the fishermen. I show that they realize a bounty, and it behooves their advocate to show the authority of Congress to grant it. I deny that we have any such power under the Constitution; I challenge the citation of that clause of the Constitution which warrants bounties, or the citation of any express grant of power to carry out which these bounties are indispensably necessary. On the contrary, I maintain that this power is plainly forbidden in several clauses of the Constitution, as well as by the whole spirit of that instrument and the theory of our Government. The Constitution declares that "*direct taxes shall be apportioned among the several States according to their respective numbers;*" that "*no capitation or other direct tax shall be laid unless in proportion to the census;*" and that "*all duties, imposts, and excises shall be uniform throughout the United States.*"

The clear intent of all these clauses was to prevent Congress from imposing greater burdens, or conferring greater benefits, upon some States or some classes of citizens than upon others, and to secure justice, equity, and equality in the collection and the disbursement of the revenue of the Government. Now, sir, suppose a bill for direct taxation was pending before this body, and a motion was made to exempt the citizens of Maine and Massachusetts from its operation, or from the imposition of a tax upon any single article, say their salt, proposed to be collected in the other States of the Union: Senators of the other twenty-nine States would revolt at the proposition; and even the Senators of those two States would concede that it was grossly unjust, if not unconstitutional. Suppose a tariff bill were now pending, and it was proposed to permit the people of Maine and Massachusetts to import their goods free of duty, or merely to import their salt free of duty, while exacting duty at the other ports of the United States. This, too, all would concede, would be unequal, unjust, and unconstitutional.

Wherein lies the difference, in principle or effect, between the two cases supposed and that which exists. True, the people of Maine and Massachusetts pay a duty on their salt, like other people, but then you refund them that duty, not as drawback, but as bounty; not upon exported fish, cured with foreign salt, but upon all the fish that they catch, whether consumed at home or exported to foreign countries. Yea, you not only pay them all the duty received from them, but you give them all the duty received from everybody else. You refund them their \$26,000 paid as duty on salt, and superadd \$292,000 collected off other people as duty upon salt. You give them twelve hundred per cent. more than they pay in. For every dollar which they put in the treasury as a duty upon salt, you return them twelve and a half dollars.

Mr. FESSENDEN. I should like to understand the argument of the Senator. Will he allow me to ask him a question?

Mr. CLAY. Certainly.

Mr. FESSENDEN. Do I understand him to press his argument in reference to the unconstitutionality of the bounty, or whatever it may be, as founded on the unequal operation of it?

Mr. CLAY. Yes, sir; partly.

Mr. FESSENDEN. Well, sir, I can only say that I do not understand that argument as a legal one; that because an act operates unequally, *ergo* it is unequal in view of the Constitution.

Mr. CLAY. It is either intended to operate unequally, or it necessarily does operate unequally.

Mr. FESSENDEN. We must judge by its terms.

Mr. CLAY. Mr. President, to proceed with what I was saying, I ask wherein lies the difference between exempting one State from the payment of taxes or duties to the Government, and refunding it all its duties or taxes? Wherein lies the difference between exempting the people of Maine and Massachusetts from the payment of any salt duty, and refunding them all that they pay? Why, sir, in principle it is the same thing. Can you say that taxes are apportioned among the several States according to numbers, or that all duties, imposts, and excises are uniform throughout the United States, if you collect duties or collect taxes from every State, and then give the duties or taxes thus collected to one or two States? Is this imposing equal burdens and conferring equal benefits on the several States, and the people who compose the States, as clearly intended by those clauses of the Constitution which I have read? It would be far better for the interests of other tax-payers, and of the other twenty-nine States of this Union, if the people of Maine and Massachusetts were permitted to import their salt free of duty; because then, instead of paying them \$323,000 a year, we should remit them but \$26,000; we should pay them but a dollar where we now pay them twelve and a half.

Mr. FESSENDEN. Will the Senator allow me to ask him another question in reference to the legal point?

Mr. CLAY. Yes, sir.

Mr. FESSENDEN. According to his argument, if the people of one State did not use as much of a particular imported article which paid a duty as the people of another State proportionately, the law would be unconstitutional because it operated unequally?

Mr. CLAY. Not at all.

Mr. FESSENDEN. Certainly that would follow from the argument. It is a necessary consequence of the argument.

Mr. CLAY. I think not. I further maintain that this is unconstitutional because it is unjust. Nothing is proper or tolerable in legislation which is unjust. "To establish justice" the Constitution was framed and the Union was formed. Justice is the spirit of the Constitution and the bond of the Union, without which the Constitution is valueless, and the Union a curse. Justice is equality, is conferring equal bounties and imposing equal burdens upon all the States, and all classes of citizens within the States.

Now, sir, I ask what can be more unjust than this bounty paid to the cod fisheries. Is it just to exact of the mackerel, and herring, and other fishermen, a payment of the duty upon their salt, and to exempt the cod fishermen from the payment of the same duty? Is this uniform taxation? Wherein, I repeat, lies the difference between exempting cod fishermen from the duty and returning them the duty? Is it just to require of the beef and pork packers of the West, and of the farmers of the entire Union, the payment of a duty on the salt which they consume, and to relieve the fishermen of the same burden in support of the Government? Is it just, or rather can anything be more unjust than not only to relieve the cod fishermen from this burden imposed upon other citizens of the United

States, but to give them the proceeds of that burden as a bounty? I should like to know what excuse the representatives of the other twenty-nine States of this Union can render to their constituents for sustaining a system which taxes a common necessary of life, the salt which they use, in order to raise bounties for a privileged class of two or three thousand, or at most fifteen thousand persons?

Since the doctrine of protection has been exploded, and is without a party in the country, or even an advocate in Congress, upon what principle can this bounty be maintained or defended? It is the extremest, greatest, and worst kind of protection; exceeding protecting duties, or prohibiting duties, or exemption from paying duties, or remission of duties. It is taking money derived from taxing the many, and giving it to the favored few. Here are twelve or fourteen thousand men, if the fishermen get the bounty, or less than three thousand if the owners get it, receiving \$300,000 annually from the Treasury as a pure gratuity; not for what they have done, or are doing, or will do for the Treasury or the Government, or the people of the United States; but for what they are doing for themselves, for pursuing their own business, for working for themselves, for catching cod fish! The consideration of this bounty is the catching and selling, or cooking and eating, of cod fish; the filling of their own purses, or stomachs! For this they are made pensioners of the Government—the only civil, the only honorary pensioners; for this they are preferred above all other fishermen, all other men of all other occupations; for this they are made peculiar, extraordinary, and exclusive favorites; for this they are honored and advanced above all other classes of pensioners. All other pensions rest upon some past and valuable consideration—upon public services, or losses sustained, or sufferings endured for the Government in the army or navy; but for this no such support can be found. The cod fishermen are not in the public service; they have not been public servants; they have not lost their limbs, or their health, or suffered any injury, or incurred any peril, in the public service, at the call of their country. They are pensioners, not by merit, but by mere favor!

No; it is not what they are or have been, or do or have done, or must or will do, for their country, that they are fostered and fed by Government; it is for what they may do in the future; it is upon the possibility of future service, that they are thus made stipendiaries of Government. We may need these men to man our ships, say their advocates; therefore, we should cultivate their patriotism, and encourage their piscatory pastimes or pursuits, by an annual conciliatory bribe of \$300,000. They are the nurselings of the sea; the nascent Neptunes whose hands may direct our navies, defend our commerce, and decide the destiny of our country in war! If war comes, where can you find seamen, save in the cod-fisheries? Nowhere! Not among the four thousand mackerel, nor the twenty thousand whale fishermen, nor the one hundred and thirty thousand merchant sailors, nor the seven thousand navy seamen; not among these one hundred and sixty-one thousand men is there skill, courage, and patriotism enough to fight our naval battles. No, you must look to the cod fishermen to dare the dangers of the deep, and defy the terrors of gunpowder, and grapple with our foes!

Surely, if the destinies of our common country centre in the cod fisheries, then we may exclaim with Fisher Ames, "the catching of cod is a very momentous concern."

Let us examine this bold and startling proposition, and see how far it can be sustained by facts or by arguments. No class of men can claim a monopoly of patriotism or of courage; and the cod fishermen cannot prove their title to a larger share of these virtues than other fishermen or sailors. Neither can any satisfactory or sufficient reason be assigned why they are or should become better seamen.

Why should they excel the mackerel fishermen in skill, courage, or patriotism? They are of the same race, derived from the same origin, speak the same language, worship the same God, live under the same government, and pursue similar vocations. Mr. Seudder says the mackerel fishing is pursued in the same or similar vessels, in the same waters, at the same season of the year, and often by the same men, and is fraught with equal toil and danger. Wherein

lies the difference of merit or value to the country between the catchers of mackerel and the catchers of cod? Mr. Scudder said there was none, and that they were equally entitled to Government favor. Certainly there can be no difference, unless it be imparted by the food. If the opinion of some philosophers or poets be true, that men partake of the nature of the animal on which they feed, perhaps there may be greater virtue in catching cod than mackerel or herring.

Why should they be better seamen than whale fishermen? A cod-fish voyage is of four months; a whaling voyage of two to four years. Are four months' tuition in cod fishing worth more than four years' whaling? A cod-fish excursion is of a few hundred miles; a whaling cruise of twenty thousand miles. Is more learned in a short trip to Newfoundland than a long one in doubling Cape Horn? Does casting the lines for cod require greater skill, dexterity, strength, or courage, than harpooning the whale? Is more learned in a fishing smack or fore-and-aft schooner of five or forty tons than in a whaling ship of one thousand or more tons? The smack has no yards, but two masts, and three sails—jib, foresail, and main-sail—all managed by halliards or ropes and pulleys, without getting off decks; the sails are unfurled or furled by pulling or letting go a rope. But the great whale ship has its three masts, its twenty-odd sails rising one above the other to the top-gallants, and its sixteen or more yards supporting the sails—the very names of which are unknown to the cod-fisherman, because never used by him. He has not to go aloft to furl or reef sails, and could not if ordered. He never learns the duties or even the dialect of a whaler, or merchantman, or war vessel; and on board of them would have no advantage over the land-lubber, except in walking the deck, and escaping seasickness. The mere inspection of a smack and a square-rigged ship will show that the former is no school on which to learn how to manage the latter. The contrast is as great as between a log cabin and the labyrinth of Crete; and the cod fisherman would scarcely be more at fault in the labyrinth than in the ship.

I do not utter these things without some authority. I understand from naval officers that all the advantage a cod fisherman has over a mere "land-lubber" is in having learned to "rough it," to walk the deck, and escape seasickness; but they say that they would rather take a raw recruit who had learned nothing, than to take a cod fisherman whom they would have to unlearn before they could teach. I hold in my hand the *Plymouth Rock*, published in one of the fishing districts of New England, in which I find this language:

"The reasons why cod fishermen can never become proficient as 'ordinary seamen' are too familiar to every man upon the sea-coast to need to be repeated, but to others they may not be uninteresting. The cod fishing vessels are, in the first place, all 'fore-and-aft schooners,' and admitting the crew of each vessel to be permanent, or employed year by year in the same vessel, they obtain no knowledge of square-rigged vessels; and experienced shipmasters aver that to unlearn them of habits acquired on board the fishing vessels, requires vastly more labor and patience than to take young men who have never been to sea at all. But the men who are engaged as fishermen are almost entirely a 'floating population,' a large proportion foreigners, who go a fishing for a season, sometimes for relaxation from other employments, sometimes from curiosity, but hardly ever with the idea of making seamanship a permanent business."

Such is, also, the testimony of the *Patriot*, published at Barnstable, the largest fishing district, which says:

"Whilst it affords to the foreigner an opportunity to acquire seamanship, it encourages our own young men into the fisheries, who would otherwise enter immediately into the merchant service, where they would learn twice or thrice as fast. Besides, the boy who once became a fisherman, is often led to embrace it as a profession for life—a business the poorest, the hardest, the worst of almost any under the light of the sun. Thus, the boy, who, if he had first entered the merchant service, would have arisen to competency and respect, is, by en-

tering upon this service, induced to continue in it, and is, in effect, induced to adopt a business which he would never have adopted if this same bounty had not encouraged the business.

"The foreigner is advanced in his interests by fishing, because he learns ordinary seamanship, and beyond this he generally aspires not. But the American fails to learn that seamanship which is to advance him to his hoped for situation in a merchantman. The moment he seeks even a mate's berth in a merchant vessel, because he has previously been one on a dozen fishing voyages, that moment he finds himself mistaken. He is told that his past experience is worth just nothing at all! This is true to the very letter, and hundreds can testify to this truth. If he goes into the merchant service, he has got to learn seamanship all over again, and his past tuition counts him just nothing at all. He has merely lost his time by going a fishing, encouraged by a bounty."

Mr. HAMLIN. Will the Senator allow me to ask him a question?

Mr. CLAY. Certainly.

Mr. HAMLIN. I desire to ask him if he knows that the editors of each of those papers are custom-house officers, who are ready to do the dirtiest work of any Administration when they suppose any question may be an Administration measure?

Mr. CLAY. I do not know it.

Mr. HAMLIN. I know they are.

Mr. CLAY. I do not think they are. Mr. Bates is the editor of the Plymouth Rock, the paper from which I read. I think he is not a custom-house officer.

Mr. HAMLIN. Yes he is.

Mr. CLAY. Who is the editor of the Patriot? I cannot say.

Mr. HAMLIN. Mr. Spinney—a custom-house officer.

Mr. CLAY. Well, sir, the custom-house officers of New England are a very corrupt and depraved set, if what the Senator says be true; for it is the common testimony furnished by most of them, and not furnished for this occasion, but through a series of years past; and I am not willing to think so badly of his constituents as he himself seems to think.

Now, Mr. President, I say, if it be true, as alleged, that the cod fishery is the peculiar nursery of seamen, it imposes upon the advocates of that opinion a response to the question: how it happens that the merchantmen, or the whalers, of a thousand or more tons, of more complex rigging, of twenty or more sails, of sixteen or more yards, making voyages of twenty thousand miles or more, spending years of "business in the great waters," are not as good schools for seamen as the cod fishery, which employs schooners or fishing smacks of sixty-five tons or less, which are engaged but four months a year in cruising around the coast or islands of New England, or on the banks of New Foundland? The framers of these laws did not regard them as the peculiar nurseries of seamen, neither did they design by the laws to make them the nurseries of seamen. This is shown by the language of the acts from which I have read, but it is further evidenced by these facts: all these allowances were contingent on the salt duty which they always accompanied; they are always found in the salt acts, and not in the fishing code. We have a code regulating the fisheries quite as old as the Government; and if they were intended to be fostered as nurseries of seamen, there would be the proper place to find these bounties, but you find them always annexed to the salt duty. The condition of the allowance was the quantity of fish caught and exported which had been cured with foreign salt. The same allowance, up to 1813, was made to the exporters of salt provisions, of beef, and pork. Can it be supposed that Congress intended to raise seamen out of the farmers of the West? Can it be believed that Congress intended to nurture seamen of those who never went to sea? This proposition at once shows the absurdity of contending that these laws were intended as the nursery of seamen. It imputes to their framers the folly of the fond mother who advised her son not to go into the water until he learned how to swim! Moreover, it will be found that all these laws were for brief periods—the

longest of them extended only for ten years, the next for seven years, and several of them for but two years. Did Congress expect to train a nursery of seamen in two, seven, or even ten years? Lastly, all these laws applied to foreigners as well as citizens of the United States up to 1817. For thirty-odd years this bounty or drawback was paid to foreigners as well as natives or naturalized citizens. No distinction was made. At this day, the law does not exclude foreigners, for the word used is "persons," and not citizens; and at this day, as testified by the collectors to whom I have referred, and by the papers from which I have just read, and which I will not trouble the Senate with reading now, many of those persons employed in these fisheries are foreigners. They represent that they can get foreign fishermen for the coast or banks of Newfoundland for a much lower price than seamen at home, and they go out and employ them there.

But, sir, we are told that the fisheries cannot live without this bounty. Suppose that to be true, is it the duty of Congress to foster any occupation which cannot support itself? Whence do we derive the power to become almoners of public charity, and to provide for those who cannot take care of themselves? But, sir, any one who has examined the table appended to the report which I had the honor to submit some time ago, will see that, according to the reports of the fishermen themselves, this, so far from being a languishing business, ought to be very flourishing. In compliance with a law of Massachusetts, the assessors of the several towns in past years have been required to return the capital invested, the men employed, and gross proceeds of every occupation within the State. I find that in 1837 they reported the vessels employed in the mackerel and cod fisheries at one thousand two hundred and ninety, the tonnage at seventy-six thousand and eighty-nine, the hands employed at eleven thousand one hundred and forty-six, the capital invested at \$2,683,176, the aggregate value of the proceeds, \$3,208,559, making one hundred and nineteen per cent. of gross proceeds upon the capital invested! In 1845, I find that the gross proceeds exceeded one hundred and nineteen per cent. upon the capital invested. In 1855, I find that the average per cent. of gross proceeds was nearly seventy-six per cent. And after deducting fifty per cent. for expenses, yet it yielded an average profit of thirty-eight per cent.; and after superadding to this deduction of fifty per cent., sixty-three dollars for each man employed, (which Mr. Scudder says is all that they get,) still the average amounts to nearly twenty-one per cent.; and after allowing \$100 per man in addition to the discount of fifty per cent. of the gross proceeds, still the average exceeds eleven per cent. Thus it appears that this business, far from being a losing or decaying one, quite equals, if it does not exceed, in profits any other business in the country.

But, Mr. President, to whose benefit does this bounty inure? Not to the fishermen, but to the two or three thousand owners of fishing vessels. Such is the common testimony of the collectors on this subject. Such is the testimony of the special agent of the Treasury Department sent to look into the fisheries, and to report their condition. Such is impliedly the admission of the owners of the fishing vessels themselves; for they concede that they do not observe the law which requires them to divide the proceeds of a cruise in proportion to the fish taken by each man, and that, in violation of the law and the express regulations of the Department, some of the owners take half to themselves, and divide the other half equally among the crew. If they will violate the law in one particular, why will they not do so in every other? To whom is this money paid? To the owners of the fishing vessels. What officer or agent of the Government supervises its division among the fishermen? No one. It is left solely to the discretion and the conscience of the owner of the fishing vessel. He is the arbiter of his own cause, in violation of every principle of judicial justice. Are avarice and self-interest stronger than justice and generosity? Are men kinder to others than to themselves? Can any one believe that Congress can make bargains for these men, and that they will observe them strictly, though it be to their own prejudice? Why may they not stipulate that the fishermen shall have so much for the voyage, less the amount of the bounty? Is the bounty no inducement to the enterprise? It is either

an inducement, or it is not. If it be no inducement to the fishermen to engage in the cruise, then there is no reason why it should be continued. If it be an inducement, then the fishermen can afford to ask less from their employers, the owners of the fishing vessels, and no doubt do take less, and thus it inures to the benefit of the owners.

Another reason why I believe the two or three thousand owners of fishing vessels generally enjoy all of this bounty is, that the fishermen are frequently changed during a season. They go out one voyage, return, are discharged, and other fishermen are taken. Such is the report of all the collectors; and, if this be true, none of these fishermen are entitled, according to law, to any of the bounty; and thus it may happen that the owners of the fishing vessels may realize the entire bounty, as is charged.

Mr. President, according to the experience of England, of France, and of Holland, such bounties are wholly inexpedient. They have endeavored, by a system of bounties, to build up their herring and whale fisheries, and they have signally failed. But I need not go abroad to prove the inexpediency of these bounties. Let any Senator compare the increase of the whale and herring fisheries with the cod fisheries, and he will say at once that these bounties have not redounded to the advantage of the cod fisheries. Our whale fishermen, without any bounty whatever from the Government, though competing with the fishermen of the greatest commercial countries of Europe—though competing with the fishermen of England, of Holland, and of France, who were paid large premiums and large bounties on this interest, have outstripped them all. A few fishing towns in New England, without bounty, without Government patronage or aid, have more tonnage and seamen in the whale fishery than England, with all the bounties, and premiums, and remissions of duties extended to her whale fishermen through a series of years.

It is sufficient to condemn this bounty system to show that it is demoralizing. The late Secretary of the Treasury says, substantially, that it is a premium offered for frauds and perjuries; and he is sustained in this assertion by the testimony of the collectors from one extreme to the other of the coast of New England. They declare that the laws are not complied with; but that these bounties are realized in violation of the laws. Such is the admission, in effect, of the fishermen themselves. In several of their memorials, which I have read, they declare that they cannot comply with the requisitions of the Department and realize any profit. For instance, the law inhibits them from taking other fish than the cod fish during a cod fishing voyage, and from taking fresh fish to market, and requires that they should confine themselves exclusively to the catching and salting of cod fish. They declare, in their memorials, that they had better give up the bounties than observe this regulation; for that, if they are required to throw their fresh fish overboard, they will sink more money than they can realize from the bounty, as many of the fresh fish they take are worth more than the cod, and the fresh cod will often realize a better price and readier sale than the dried. Yet they claimed and got the bounty. Who can doubt that they also saved and sold their fresh fish?

But, sir, it is demoralizing in another aspect. It encourages a sentiment already too pervading in the country, of dependence on the Government for support. Such a sentiment is baneful to individual as well as national prosperity. It paralyzes the industry, enervates the mind, and enfeebles the will of man to teach him to look to Government as a natural or foster parent for support and aid in every enterprise. It keeps him in his minority through life, and he can never feel or exercise the freedom, independence, and self-reliance of mature manhood. It reduces him to a state of pupillage, in which he cannot think without instruction, or act without assistance. It discourages enterprise, enslaves the spirit, suppresses noble aspirations, and prevents brave efforts. Unsatisfied desire is the natural aliment of human exertion, whether it be mental or physical, and without it man would cease to labor. Labor, by divine decree, is the condition of success, and without it nothing great or valuable is achieved. Poverty is the nurse of great souls, and necessity the parent of heroic efforts; and the fountain of the Muses, bursting from a barren rock, is an apt emblem of the hard source whence spring the noblest aspirations of the

mind, and the most glorious achievements of the hand. Whenever Government undertakes to supply man's wants and relieve his labors, it violates a law of nature which will sooner or later vindicate its own majesty.

Suppose it were possible for this Government to supply all the wants, and satisfy all the desires of its citizens—to give lands to the landless, houses to the shelterless, food to the hungry, and clothing to the naked: how long would science, art, literature, freedom, religion, anything that ennobles man, and elevates him above the beast, survive such an experiment? How long would we have a government worth preserving, or freemen to preserve it? Such a government would prove a greater curse than that of Adam, and more intolerable than the vilest tyranny of barbaric autocrats.

Sir, I demand the repeal of these bounties, because they are unconstitutional, they are unjust, they are inexpedient, they are demoralizing. I demand the repeal of the laws under which they are drawn, because the inducements held out for their enactment have ceased to exist; because the reason of them has ceased; and because the effect of them is far different from that which was intended, or expected, or desired.

**Table exhibiting the tonnage of vessels engaged in the cod fisheries, the allowances paid, &c., from 1848 to 1857.*

| Years. | Tonnage of vessels engaged in cod fisheries. | Allowance paid to fishing vessels. | Sums due as drawbacks. | Excess of bounty over drawback. |
|----------------|--|------------------------------------|------------------------|---------------------------------|
| 1848..... | 82,652 | \$243,434 | \$22,811 95 | \$220,622 |
| 1849..... | 73,882 | 237,604 | 21,809 66 | 265,794 |
| 1850..... | 85,646 | 286,796 | 22,307 76 | 264,488 |
| 1851..... | 87,476 | 328,267 | 25,193 08 | 303,074 |
| 1852..... | 102,659 | 304,569 | 26,855 59 | 277,713 |
| 1853..... | 99,990 | 323,199 | 24,847 41 | 298,351 |
| 1854..... | 102,194 | 374,286 | 31,261 36 | 343,024 |
| 1855..... | 102,928 | 346,196 | 32,484 07 | 313,712 |
| 1856..... | 95,816 | 134,659 | 29,319 69 | 105,339 |
| 1857..... | 104,573 | 601,453 | 29,233 61 | 572,219 |
| Ten years..... | 937,826 | \$3,230,463 | \$266,124 15 | \$2,964,336 |

| | |
|---|--------------|
| Average tonnage per year, for ten years..... | 93,782.6 |
| Average allowance per year, for ten years..... | \$323,046 80 |
| Average sum due as drawback, per year..... | 26,612 40 |
| Average excess of bounty over drawbacks, per year, for ten years..... | 292,433 60 |
| Aggregate excess of bounty over drawback, in last ten years..... | 2,964,336 00 |



LIBRARY OF CONGRESS



0 002 876 828 A